

# UNIT 1: INTRODUCING PUBLIC REASONING

If there is one season that I dread every year, that is Diwali. The festival of lights is the most popular Indian celebration which is widely known across the world. Yet, the name of Diwali makes me panic because of the high decibel firecrackers that not only hit the ear like loud drum beats but also cause attendant pollution by release of chemicals and metals into the environment.

This severely compromises the respiratory system of even a normal individual besides adversely affecting his blood pressure and nervous system. For a severe asthmatic like me, nothing could be worse, and year after year I have to take refuge in distant places away from urban habitats or have to check into the upper floors of sealed hotels to save myself. Though I live far away from India's capital, like many others I welcome the decision of the Supreme Court of India to ban sales of crackers in Delhi and the National Capital Region (NCR) till after Diwali

Although, the protests from traders are understandable, the protests from certain quarters that the ban is 'anti-Hindu,' beats logic. Those introducing a communal angle to the ban include an exalted figure like the Governor of Tripura, Tathagata Roy (whose comments that soon the Award Wapasi gang will seek ban on Hindu cremations are especially acerbic) and well-known novelist Chetan Bhagat.

The argument of these people is that why only a Hindu tradition is being banned and why there is not a similar ban on the slaughter of lambs during Id or loudspeakers blaring forth the Azaan or even celebrations during Christmas? Needless to say this is a specious argument: banning bursting of firecrackers is not tantamount to banning of Diwali.

In fact, traditionally Diwali is the festival of lights – the lights to mark the anniversary of the return of Lord Rama to Ayodhya and at a philosophical level to mark the ascendance of light over darkness (Tamaso Ma Jyotirgamaya). Bursting of crackers is in no way an integral part of Diwali which is celebrated in different ways across the country. This includes mahurat or new-year trading on the stock market and by Lakshmi Puja and Kali Puja in other parts of the country.

Cracker bursting is a recent phenomenon and so long as it was under check it was fine. But now-a-days it has gone out of control and hence the need for control. Anyway it's a good idea to go back to eco-friendly ways of celebrating Diwali using flowers and plants for decoration.

As for those who are connecting the cracker ban to slaughter of lambs in Id, one can only point out that the ban was brought about by a petition in the court that was filed on the behalf of three children between six and fourteen months of age. So those who want lamb slaughter to be banned should approach the apex court with a petition seeking the same and try to argue their case. They should not link the matter with Diwali and crackers.



Why it is a good idea to ban Diwali crackers. Kinshuk Nag.  
The Hands India. 12/10/2017

# UNIT 1: INTRODUCING PUBLIC REASONING

...Nowadays though, I know it is Deepawali when I start seeing obnoxious posts on social media about 'how we should not light crackers during Deepawali because it is not kind to animals' or how 'Deepawali is full of cheap display of materialism'. The same people who gloat about how they love their 'beef steak, juicy and dripping with blood', are advising Hindus to not burst firecrackers because it is 'not kind to animals'. Self-proclaimed 'liberals' who routinely travel business class to attend international conferences and who work and live in an AC environment 24/7, want Hindus to 'not burst crackers, because it is oh-so-bad for the environment'.

This hypocrisy is not just displayed during Deepawali, it is a behaviour pattern repeated before every major Hindu festival.

#FestivalShaming of Hindus has become the new 'liberal' sport in India!

Sanctimonious Hindu-hating 'elite' have systematically tried to diss, dissect and disrespect Hindu traditions and festivals with a monotonous regularity in the last few years. When it is Holi, they get out of their Olympic sized swimming pools and tell us to save water. When it is Karwa Chauth or Vat Savitri, they tell us how the festival is a symbol of 'patriarchal oppression'. When it is Ganesh Chaturthi, they give us lectures about not 'polluting' water, even as they open their bottles of Evian sparkling water. During Navaratri, as the average Hindu is getting ready to worship the manifestation of feminine strength in the form of the Devi, these people come up with

articles about how to do an 'alternative reading' of Mahishasura.

Every single Hindu custom, belief and festival has come under a savage attack from the 'opinion-makers'. They mock our festivals and deride our customs using the yardstick of 'environment unfriendliness'.

...

Sanatana Dharma has been the most eco-friendly faith ever. Traditionally, we ate our meals on plantain leaves, our diyas were made by local potters, and we used locally grown fruits and vegetables as offerings to the Divine.

Of course, with time, people have changed their way of celebrating the festivals, and yes, some course correction is definitely needed. But the course correction has to come from within the faith.

We, the practising Hindus are the custodians of our faith, not some sanctimonious self-proclaimed 'liberal' for whom a Hindu festival means little more than an opportunity to #FestivalShame Hindus!

Hinduism has always been a dynamic faith, a faith that has always adapted to the changing demands of desh-kaal-paristhiti (place, time and situation). We are like the flowing waters of the great Ganga, ever flowing, ever-changing, and yet, eternal.

If there has to be any change in the way we Hindus celebrate our festivals, it has to come from within.

Deepawali: Selective Shaming Of Hindu Festivals Must Stop. Shefali Vaidya.  
Swarajya Magazine, Oct 28, 2016



# UNIT 1: INTRODUCING PUBLIC REASONING

## Questions

1.1 Did you start out with an opinion about whether firecrackers should be stopped or not?

1.2 Which of the two article made the better argument? Why was it better? (NB: don't just say why the other article was bad.)

1.3 Each argument has deep problems. We can find at least 5 distinct, serious errors in them. How many can you spot?

1.4 Should non-Hindus be allowed to debate whether firecrackers should be used in Diwali? Why/why not?

## The promise of this unit

Works of public reasoning like these shape our world. Dozens are published every day; thousands more remain unpublished. They create our laws. They change how government spends its time and money. They shape the unwritten rules of our society.

This course aims to prepare you to take part in public reasoning, and do it better.

- We start by seeing where to find the published works of public reasoning (1.1).
- Next, what public reasoning should be like? Are Diwali crackers a matter for public reasoning, or just a problem for Hindus? Can we appeal to Marxist doctrines when discussing private school subsidies? Should non-citizens be allowed to comment on the Assam register crisis? (1.2)
- In real life, our public reasoning isn't as good as it should be. Finding fault in other's reasoning is easy, especially if you disagree with them. Finding fault in your own requires practiced humility. The next section helps start that practice (1.3).
- We end by tracing the public reasoning in India back to its roots in Europe and ancient India (1.4).

This is easily the most theoretical, least practical, unit in the coursebook. But get it straight and the skills from the rest of the course will be much easier to apply.



## 1.1 IDENTIFYING PUBLIC REASONING

## 1.1 Identifying public reasoning

Public reasoning ≈

- talking with others in society (in our case, India)
- talk concerns reasons
- talk about things of concern to that society
- things that cannot be solved decisively by an expert.

This rough definition will do for now. By the end of this unit, you should be able to give your own, better, definition. Examples:

This article tells us about a farmer committing suicide. That's important for public reasoning debates, but not itself part of public reasoning. What the farmer did, and especially what his family said should be addressed by an expert: an investigative police officer.

## Unable to repay loan, farmer commits suicide in Bidadi

Family alleges he was being harassed by moneylenders

SPECIAL CORRESPONDENT  
BENGALURU

A 40-year-old debt-ridden farmer had committed suicide by hanging from a roadside tree late on Monday.

The deceased has been identified as Mahadevaiah, a resident of Bidadi. He had taken a loan from the private firm. Initially, he paid a few instalments but stopped after he incurred huge losses. Mahadevaiah had also taken loans from several finance firms and societies by pledging jewellery and also in the names of his family members, the police said.

The police said Mahadevaiah left his house around 5 a.m. on Monday telling his family that he would be going to his land.

Instead, he took a deviation and informed his family. Mahadevaiah has left behind his wife and three children. The family of the deceased, in a complaint, accused moneylenders of harassing Mahadevaiah. The Bidadi police have taken up a case and are investigating. In September, the State government directed the police to take strict measures to ensure no farmers are harassed by moneylenders.

(Those in distress or those

## Our judiciary the most robust: CJI

Attorney-General wants salaries of SC, HC judges doubled or tripled, retirement age raised

LEGAL CORRESPONDENT  
NEW DELHI

Chief Justice of India Dipak Mishra on Monday called the Indian judiciary the "most robust in the world".

The outgoing Chief Justice's declaration, in his farewell speech a day before he retires, comes even as Attorney-General K.K. Venugopal, the top-most law officer of the government, rued how the salaries of Supreme Court and High Court judges were "far below what an average lawyer earns".

Mr. Venugopal said it was "not easy to get good judges". "Salary should be doubled or tripled if we want



Chief Justice of India Dipak Mishra being presented a memento during a farewell in New Delhi on Monday. Chief Justice of India designate Justice Ranjan Gopal is also seen. (AP Photo/Ankur K. Chaudhary)

so that we can retire, he to worry." That's what we should be worried about.

Committed to But the next day, India, Justice 1 differed about quacies or abe their effect o present judges ed by the ATT and the SCBA. "In spite of have committed and we shall e committed reg inademacies.

Trickier. Strictly speaking, this article just claims that the CJI said something: that our system of judges is more robust than others. That's not public reasoning. But what the CJI said is part of public reasoning. Run it through the three tests above to check.

News sources often report a contribution to public reasoning instead of engaging in public reasoning themselves, especially when the person whose words they are reporting is authoritative.

## The algebra of dissent

To heed the conscience of the court, and hence the nation, we must honour dissenting judgments



RAJEEV DH

Over the p preme Cou markable d hora in Chandrachud and Anandh Babri refer of arithmetic dissenters k list trains so applying al more insight ring and dis

This article claims we should respect and listen to dissenting judges. This is clearly public reasoning.

of heart and those who are n such cases say so with a to help peo-

## The voice that is great within us

The crises in Indian democracy and in global politics send one immediately to consult Gandhi



ANANYA VAJPEYI

Reading a j Some concu ample, those an in the A/ Live Broadc pathi v. Sup pear the mu ments, on themselves i Of course, w sometimes with Structure ju 1973) were h ments offer ( should write ed judgment Of course, Chief Justice judgments. I simply repe

This article claims that we should use Gandhi's ideas to understand current problems. It is clearly public reasoning.

In a newspaper, public reasoning articles tend to be put in the 'opinion', 'editorial', or 'oped' section. Often, the author's picture is given at the top of the article.

'Editorial' sometimes refers to the opinion of the newspaper itself, without giving the name of any individual author.

### Home and the world

Of late, many musicians in south India have faced vicious attacks from rightwing Hindutva groups for singing hymns and psalms, thereby allegedly hijacking "Hindu" Carnatic music for "Christian" evangelical aims. This despite the fact that the violin, central to the Carnatic system in modern times, is a European gift to Indian music, and both Christian and Muslim religious lyrics and poetry have been a constitutive part of the Carnatic repertoire throughout the 20th century, if not before.

How co Zionist pr sent to deatn camps in Hitler's murderous regime? But now the tables are turned, and a rightwing Israeli state under Benjamin Netanyahu seems hell-bent on exterminating the Palestinians. Gandhi's counter-intuitive Truth informs the civil disobedience, passive resistance and non-violent protest of both Arab and Jewish activists who oppose the continuing occupation and takeover of dwindling and defenceless Palestinian territories by bellicose Israeli forces. The multilingual translator, edi-

OPED 11

riter

## 1.1 IDENTIFYING PUBLIC REASONING

**liveMint** Home Companies Money Industry Technology Politics Opinion Lounge AI

**The road ahead for new IL&FS board**

**Funding gap**  
Infrastructure Leasing and Financial Services has sizeable payments to be made maturing between six months and one year in FY18.

Maturity pattern of IL&FS's stand-alone assets and liabilities (in ₹ crore)	Borrowings	Assets
1-30 days	862	4,200
1-3 months	500	861
3-6 months	363	267
6-12 months	147	1,770
1-3 years	445	2,261
3+ years	1,538	4,358

Source: Company

**What will happen to bank accounts opened through Aadhaar**

**The best beer city in the world**

**Opinion | India dodges a Lehman moment. That was the easy part**

**E-commerce makes way for other sectors in Indian unicorn list**

**Flight ticket prices head north on sky-high jet fuel prices**

**Only India-sourced income taxable for NRIs in India**

**Task cut out for Vodafone Idea as it moves to level up supermajors**

**Your EMI will go home loan rates**

**India asks Face**

Not public reasoning. Can be determined by an expert.

Probably public reasoning. Helpfully marked 'Opinion'.

Not public reasoning, because not of interest to us as a society, no matter how many people in our society it is of interest to.

Could be public reasoning. It depends on the article. If it's just a list of facts, then not public reasoning. If it includes discussion of what we as a society should do in response to these, then it probably contains public reasoning.

Task 1.1a: pick up a newspaper published today. Find the articles about public reasoning.

Task 1.1b: find public reasoning published in the last 24 hours.

- Find something you consider poor quality public reasoning. State why it is poor.
- Find something you consider excellent quality public reasoning. State why it is excellent.

The article on 'Imran Khan's priorities and difficulties' is likely to be public reasoning.

The rest are news, not public reasoning.

https://www.facebook.com/search/top/?q=news

news

All Posts People Photos Videos Marketplace Pages Places Groups

Filter Results

POSTS FROM

Public Posts

**The News** 5 minutes ago

"Top Stories of today, you shouldn't miss!" 1-PM Imran Khan's priorities and difficulties <https://goo.gl/QW66xr> 2-Nawaz Sharif responds to Rana Mashood's statement <https://goo.gl/3qf2ur> 3-Saudi Arabia not part of CPEC institutional framework: Khusro... See More

**BBC News** added a link to their coverage of Indonesia dis... 5 hours ago

This is Palu, which used to be a bustling coastal city.

**Aerial shots of tsunami aftermath**

[www.bbc.com](http://www.bbc.com)

Soksophea Suong and 6.3K others 134 Comments 1.2K Shares

**BBC News** 6 hours ago

The change went into effect on Monday, giving partners currently in the US until 31 December to leave, get married or otherwise change their visa.

**US to end visas for gay diplomat partners**

[www.bbc.com](http://www.bbc.com)

16K 1.1K Comments 4.4K Shares



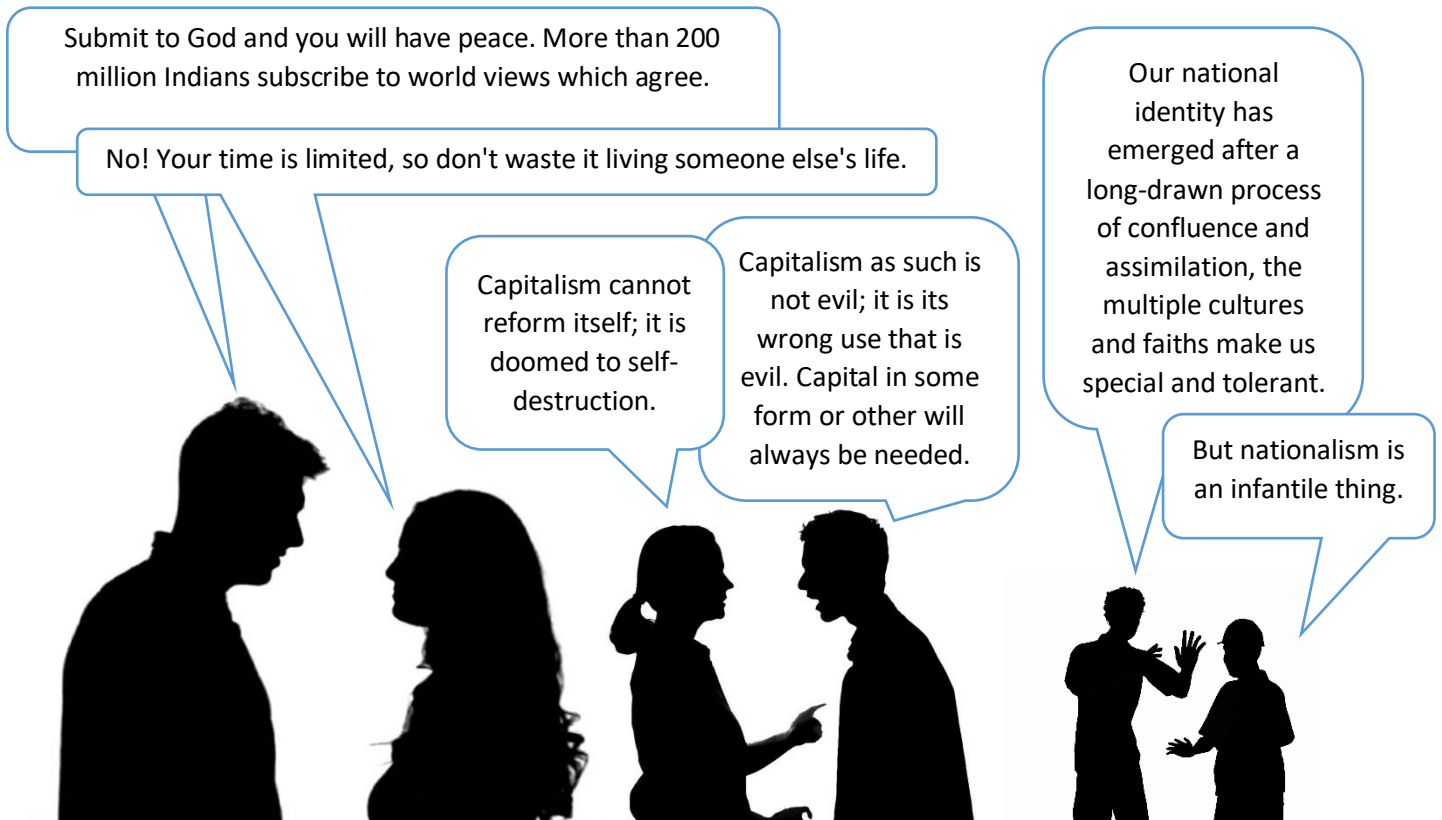
## 1.2 WHAT SHOULD PUBLIC REASONING BE LIKE?

### 1.2 What should public reasoning be like?

#### The puzzle of public reasoning

Public reasoning would be an odd thing to do, if it weren't so common.

To see why, consider the following erudite versions of common conversations:



We often disagree with others in society.

Worse: we disagree over things that matter to how we run our society. For example, if you think submission to God is most important, then that will shape how you think society should be.

Even worse: we cannot easily dismiss all people who disagree with us about such matters as irrational. Often, people on both sides of the disagreement seem reasonable. In fact, every single one of the remarks in the speech bubbles above come from people whose thought we (the authors) respect more than our own: Gandhi, Einstein, Du Bois and more.

The puzzle of public reasoning is:

*How should we do public reasoning  
when the public have such deep  
and apparently irresolvable  
disagreements?*

## 1.2 WHAT SHOULD PUBLIC REASONING BE LIKE?

## ABOVE AND BEYOND: WHY DO REASONABLE PEOPLE DISAGREE?

The continued existence of disagreement amongst apparently reasonable people is not easy to explain. Why can't reasonable people always settle any dispute by asking the experts?

John Rawls (Political Liberalism 1999) claimed that people who continue to disagree really may be reasonable. For reasonable people will continue to disagree when...

- ...the scientific evidence is conflicting and complex, and thus hard to assess and evaluate. Experts can't do it any better than other reasonable people.
- ...different bits of evidence pull in different directions. It's a judgment call how to weigh these different bits of evidence against one another. No expert can settle that. It's up to us.
- ...the concepts are vague. On borderline cases, it is up to us to judge how to apply them. No expert can tell us whether to count someone on the borderline as bald, or poor.
- ...how you weigh the evidence should be shaped by your life experiences. In such cases, people with different life experiences should assess and weigh evidence differently even if they are all reasonable.
- ...there are different kinds of normative considerations pulling in different directions. Perhaps one choice would be more equal, whilst the alternative choice would be more respectful. No expert can tell us how to work out which choice is best.
- ...social institutions can only manifest some of our values. There's no way of getting experts to settle which values they should manifest. Should the judicial system make sure that people get their deserts, or that they get rehabilitated? It cannot prioritise both, and reasonable people can disagree about which it should do.

Others argue against Rawls's explanations. For example, Galston (2002) has argued that reasonable disagreement would only arise if there were multiple (objective and non-relativist) value systems.

Galton and Rawls both agree on the core point: *just because people disagree with you on fundamental issues, and you can't persuade them to change their mind, doesn't make them irrational.*

## Public reasoning: who, what, why?

Let's break the question of how we should do public reasoning down into more specific questions. This will clarify the question, and help us to see how much it matters practically.

## 1.2 WHAT SHOULD PUBLIC REASONING BE LIKE?



## Belief without truth

Religion and superstition are mirror images. Superstition can, therefore, pass for religion, especially when the people know only rituals and practices – all priestly inventions – and are ignorant of ethical and philosophical principles embedded in scriptures.



Sabarimala has, over the years, succumbed to an avalanche of superstitions. For illustrative purposes, consider the following. It is ridiculously irrational and superstitious to assume that God, who is omnipresent, is confined to a particular spot. God cannot be partial to Sabarimala or to any mountain. Partiality is a human weakness, and it is scandalous to taint God with it. Secondly, it is a puerile superstition that God's celibacy – if there is such a thing at all – can be threatened by women's biological conditions, when it is God himself who

Presumably, irrational people shouldn't take part in public reasoning.

But who is irrational?

## Q1: Who should be allowed to take part in public reasoning?

## Complaint Filed Against Writer Girish Karnad for Holding 'Me Too Urban Naxal' Sign

"There is no urban or rural Naxal. I suspect that Girish Karnad is the root cause for the Naxal movement in Karnataka," wrote Amruthesh N.P., the

Should criminals be allowed to take part in public reasoning?

Those who want to destroy or leave society?

Foreigners?



"What is horrifying now is not what the Naxals or terrorists are doing but what the police are saying. The accusations against rationalists are a complete hogwash. It is not rational talk. It's scary because they believe they can do what they want. Someone in Pune is investigating the case and someone in Delhi is directing them. This is

## POLITICS

## Deepawali: Selective Shaming Of Hindu Festivals Must Stop

by Shefali Vaidya - Oct 28, 2016, 1:25 pm

38.9 K



## Q2: What topics should we do public reasoning about?

Of course, with time, people have changed their way of celebrating the festivals, and yes, some course correction is definitely needed. But the course correction has to come from within the faith.

We, the practising Hindus are the custodians of our faith, not some sanctimonious self-proclaimed 'liberal' for whom a Hindu festival means little more than an opportunity to #FestivalShame Hindus!

The author claims that whether firecrackers should be used in Diwali is not a matter of public reason, but rather something to be decided only by Hindus. Is she right? Why/why not?



It seems that who is allowed into a private club shouldn't be a matter for the general public to discuss and decide. Why?



# 1.2 WHAT SHOULD PUBLIC REASONING BE LIKE?

**Q3: What sorts of reasons should we be able to cite in public reasoning?**

Should we be able to cite reasons which we know others who reasonably disagree with us cannot accept?

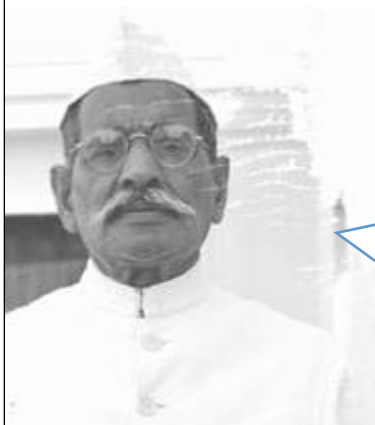
e.g. Should a communist be able to appeal to Marxist doctrine in public reasoning, when others cannot accept it?

e.g. Should people be able to appeal to their religious views in public reasoning?

## ABOVE AND BEYOND: APPEALING TO RELIGIOUS REASONS IN DRAFTING THE CONSTITUTION OF INDIA

The most influential American thinker about public reason (John Rawls, see below) argues that we cannot appeal to religious views in public reasoning. For others in society cannot accept such religious views, and so the reasons arising from such views cannot be reasonable for them to accept.

In India, the issue became practically urgent during the constituent assembly debates over cow slaughter. Some Hindu members argued that cow slaughter should be banned. But they refused to appeal to religious reasons. Instead, they made economic arguments.



I would not relate to you the story of Dalip, how that Raja staked his own life for his cow. But I would like to tell you that even during the Muslim rule, Babar, Humayun, Akbar, Jahangir and even in the reign of Aurangzeb, cow slaughter was not practised in India; not because Muslims regarded it to be bad but because, from the economic point of view, it was unprofitable...

It is no wonder that people worship cow in this land. But I do not appeal to you in the name of religion; I ask you to consider it in the light of economic requirements of the country.

Thakur Dass Bhargava

## 1.2 WHAT SHOULD PUBLIC REASONING BE LIKE?

## ABOVE AND BEYOND: APPEALING TO RELIGIOUS REASONS IN DRAFTING THE CONSTITUTION OF INDIA (CONTINUED)

The vice-president called on Muslim members of the debate to respond



Following my usual practice, I must give an opportunity to people who hold different views from the majority view...

Muslim members pointed out that the economic argument that cow slaughter is bad was very weak, implying that the real reason was religious.

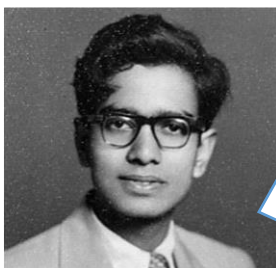
Mr. Vice-President, Sir, the subject of debate before the House now has two fronts, the religious front and the economic front. Some who want to have a section in our Constitution that cow killing should be stopped for all time probably base it on the religious front. I have every sympathy and appreciation for their feelings; for, I am student of comparative religions. I know that the vast majority of the Hindu nation revere the cow as their goddess and therefore they cannot brook the idea of seeing it slaughtered.

But, those who put it on the economic front, as the honourable Member who spoke before me said, do create a suspicion in the minds of many that the ingrained Hindu feeling against cow slaughter is being satisfied by the back door. If you put it on the economic front, I will place before you certain facts and figures which will show that the slaughter of cows is not as bad as it is sought to be made out from the economic point of view.

Syed Muhammad Sa'adulla



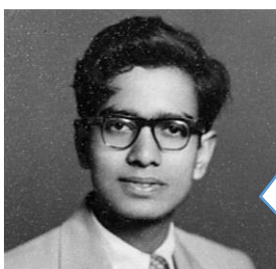
The question was then whether Hindu religious reasons should be admitted.



The question is whether, considering the sentiments that you have, considering the regard which the majority have for certain classes of animals, do they or do they not permit the minority - not a right - but a privilege or a permission which it at present has? I cannot put it higher. I won't class it as interference with my religion. But I do not want that my liberty should be taken away...

Mr. Z. H. Lari

Most muslim members seemed to feel that Hindu religious reasons should be taken account of.



It is for the majority to decide one way or the other. We are not here to obstruct the attitude that the majority community is going to adopt. But let there not linger an idea in the mind of the Muslim public that they can do one thing, though in fact they are not expected to do that.

Mr. Z. H. Lari

## 1.2 WHAT SHOULD PUBLIC REASONING BE LIKE?

## ABOVE AND BEYOND: APPEALING TO RELIGIOUS REASONS IN DRAFTING THE CONSTITUTION OF INDIA (CONTINUED 2)

Some claimed that there was insufficient distinction between religious and non-religious reasons.

I personally feel that cow protection, if it has become a part of the religion of the Hindus, it is because of its economic and other aspects, I believe that the Hindu religion is based mostly on the principles which have been found useful to the people of this country in the course of centuries. Therefore, if thirty crores of our population feel that this thing should be incorporated in the laws of the country, I do not think that we as an Assembly representing 35 crores should leave it out merely because it has a religious aspect.

Prof. Shibban Lal Saksena



The question of whether religious reasons should be allowed was never settled during that debate. Instead, the issue of cow slaughter was quickly put to the vote. Hindu supporters of cow slaughter said they would compromise by not requiring cow slaughter to be illegal. Muslim members compromised by allowing the constitution to encourage protection of the cow. The final draft of the constitution requests states to protect the cow, but does not ban cow slaughter. As in the drafts which predated the debate, no religious reasons are mentioned.

**48. The State shall endeavour to organise agriculture and animal husbandry on modern and scientific lines and shall, in particular, take steps for preserving and improving the breeds, and prohibiting the slaughter, of cows and calves and other milch and draught cattle.**

Organisation of agriculture and animal husbandry.

Concerns about whether religious reasons can be cited in public reason are still central in the West, but are harder to detect in India today. In 2018, both Congress and BJP promised to satisfy Hindu desires by using government funds to build cowsheds in Madhya Pradesh. We could find no concern expressed about the use of religious reasons that could not be accepted by non-Hindus.

Is this a problem? Revisit this box at the end of this unit, and decide for yourself.

*(All quotations taken from the record of the constituent assembly debates for Wednesday, 24th November 1948. In some cases the order has been rearranged.)*

Summary:

Q1: Who should be allowed to take part in public reasoning?

Q2: What topics should we do public reasoning about?

Q3: What sorts of reasons should we be able to cite in public reasoning?

These questions matter. The best way to answer them is to address a deeper question:

### Why should we do public reasoning?

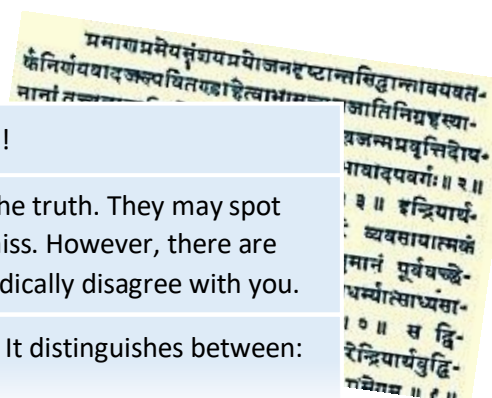
We will look at four popular answers. For each of the four, we will see the implications for Q1 to Q3.



# 1.2 WHAT SHOULD PUBLIC REASONING BE LIKE?

## 1.2a The Nyayasutra on why we should do public reasoning

<b>Slogan</b>	Find the truth!		
<b>Short story</b>	Work with others in society to find the truth. They may spot arguments and evidence that you miss. However, there are difficulties working with those who radically disagree with you.		
<b>In full</b>	An ancient Indian text about reasoning. It distinguishes between:		
Discussions for obtaining truth	Discussions to win the argument	Discussions just to destroy the other person's views	
Vada	Jalpa	Vidanda	
These are best	These are less good	These are very bad	



The Nyayasutra's idea that public discussions should be Vada, aiming at truth merely makes precise ideas that were nearly universal in ancient Indian thought back to the earliest writings. However, some sources are less scathing about Jalpa and Vidanda, at least as means of preserving your beliefs. One idea is that others cannot always make you examine whether your beliefs are true; that would be too exhausting.

However, this answer has difficulties. The Nyayasutra logic and approach to public reasoning was used by both followers of Nyaya philosophy (roughly, one of the orthodox Hindu schools) and Buddhists. But these groups had radical disagreements about everything from the point of life to whether people exist. Given that others in society radically disagree with me about such issues, and neither they nor I will be rationally persuaded, why would talking to them help me get to the truth? For a more modern example: if they rationally think that society should be about glorifying God, and I rationally think it should be about maximising individual freedom, then talking with them about how we should run society seems unlikely to help us get to the truth. This is sometimes presented as the central puzzle of public reasoning.

A later commentator on the Nyayasutra argues that we should only appeal to two types of reasons in our public reasoning: evidence which all sides can observe for themselves, and settled opinions. These might be things we agree for the sake of argument, but are mostly ideas which everyone in society accepts as true such as reincarnation. Talking to people who radically disagree with us, whilst obeying these restrictions, might help avoid the discussion getting side-lined into irresolvable issues of religion or ideology. But why should it help us get to truth?

Another approach in ancient Indian thought is for each party to state their view, but not to argue for it. Rather, they argue against one another's views, trying to show that the other person is inconsistent with themselves. If others cannot show that I am being inconsistent with myself, then I


## 1.2 WHAT SHOULD PUBLIC REASONING BE LIKE?

must change my views. If others cannot show this, then this is taken as demonstrating that my views are good ones. This system was formalised during the second Buddhist council under Ashoka the great, with strict rules for debate being written down in the Elements of Dialogue (Kathavatthu). Such discussion does seem well designed to get to truth, but there is no reason to think that it will be a truth that others in society will agree with.

See 1.4 for more historical background.

<b>Q1: Who should be allowed to take part in public reasoning?</b>	Those who can help us get to truth. Not those just trying to destroy our argument, or win at any cost.
<b>Q2: What topics should we do public reasoning about?</b>	Anything we want to know the truth about, from religion to science to politics.
<b>Q3: What sorts of reasons should we be able to cite in public reasoning?</b>	Evidence that all sides can observe for themselves. Settled opinions

### 1.2b The simple coercion view of why we should do public reasoning.



<b>Slogan</b>	Respect people!
<b>Short story</b>	Society often coerces people. If we respect people, we will only coerce them into doing something when they have reason to do it themselves. Public reason ensures that we don't unfairly coerce.
<b>In full</b>	Society coerces people. I may want to steal your stuff, but the threat of police throwing me into jail stops me. The government takes tax from me without my consent, and there's nothing I can do to stop them. Such coercion is unavoidable in any large society.

Human beings deserve respect, and this puts limits on when they can be coerced. If I coerce you into doing something that you have no reason to do, then I am disrespecting you. For I am not treating you and your life as valuable. For example, suppose you are eating meat. I coerce you into not eating by enforcing a fine on those who eat meat, but this doesn't respect you because it appeals to reasons coming from religion and ideology which you do not accept (let's suppose). However, according to supporters of the simple coercion view, I am not disrespecting you if I coerce you into doing something that you have reason to do by your own lights, but for some reason are not doing.

## 1.2 WHAT SHOULD PUBLIC REASONING BE LIKE?

For example, suppose you are thinking of stealing. I coerce you into not stealing by imposing a fine on you. I can justify this to you: we need a general rule against stealing to ensure that your own stuff isn't stolen. This appeals to reasons you already accept, i.e. you don't want your stuff stolen. NB: the coerced person needn't accept the justification; it's just that it must be justifiable to them.

On the simple coercion view, we do public reasoning to ensure that we are not unfairly coercing people. We debate with people using only reasons that they can accept. If they could have been persuaded to do something, then we can coerce them into it.

Something like the simple coercion view is endorsed by a wide range of modern, mostly Western, thinkers (e.g. Audi 1993, Larmore 1996, Gaus 2008 and Rawls's earlier work 1980). However, the simple coercion view has several difficulties. Amongst the simplest:

- We cannot justify even basic acts of state to a sufficiently illiberal person. If I do not care about the police protecting my property, then you cannot justify to me a law against theft.
- The simple coercive view would make too many things the subject of public reasoning. A private badminton club might decide to fine those who play with jeans. That coerces me not to wear jeans, so on the simple coercive view it should be a topic for public reasoning. But that is implausible; the public doesn't get a say about simple dress codes in private clubs.
- The simple coercive view would make too few things the subject of public reasoning. Our society should engage in public reasoning about which forms of marriage are socially recognised, how to spend the income generated from government owned mines or foreign aid and so forth. Yet no-one in society is coerced, so the simple coercion view would wrongly not make these the topics of public reasoning.

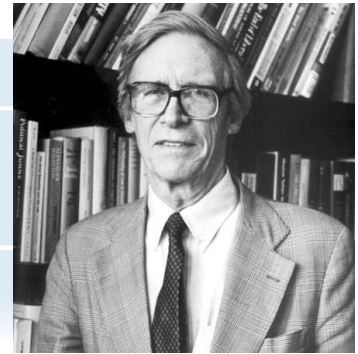
<b>Q1: Who should be allowed to take part in public reasoning?</b>	Anyone willing to recognise things they have reason to do.
<b>Q2: What topics should we do public reasoning about?</b>	Anything people in society are coerced about.
<b>Q3: What sorts of reasons should we be able to cite in public reasoning?</b>	Any reasons that others in society can recognise. No religious or ideological reasons that others in society will not share.



# 1.2 WHAT SHOULD PUBLIC REASONING BE LIKE?

## 1.2c John Rawls's view on why we should do public reasoning

<b>Slogan</b>	Justice as fairness!
<b>Short story</b>	In liberal democracies, we must be fair to one another. The only way to do so is to decide basic political principles on the basis of discussions which are unbiased by our personal ideologies etc.
<b>In full</b>	John Rawls gave the most influential account of why we should do public reasoning.



In liberal democracies, citizens must cooperate to build societies. Yet they have radical disagreements. Rawls gives a more precise version of the idea of rational disagreement discussed at the start of this section: people in society have different comprehensive doctrines: Hinduism, Islam, Communism, Liberalism etc. These different comprehensive doctrines lead people to have different ideas of what a good society would be, and what a good life is like. Some think the good life is serving God, others think it is enjoying the moment, others think it is helping the poor, still others think it is quiet contemplation. How can we cooperate to build a society when we have such radical disagreements?

Good news: despite our radically different world views we all agree on some things. Most importantly for building a society together, we all agree on the need for justice. In other words, we all agree on the need to be fair to one another. And it would clearly be unfair to you if we built society in a way which you had no reason to accept.

Rawls gives us an imaginary story to clarify how being fair would affect how we constructed society. Imagine that you have no access to any information which would help you design society in ways that are unfairly advantageous to you. You step behind the veil of ignorance (also known as the original position). It's a place of equality: you have to treat everyone else as equal to you, because you don't know anything about yourself which would mark you as different to them. In this place, you do not know whether you are a man or a woman, so you cannot unfairly build a word which privileges your gender. Likewise, in this place you do not know if you are physically disabled, so you will choose to build a society where disabled people have fulfilling lives. And, crucially, in this place you do not know what idea of the good life you will have, nor your religion, ideology or other world view. So you will choose to build a society which would be acceptable to people with any idea of the good life, and any comprehensive doctrine.

We should do public reasoning because it ensures that our political decisions are just/fair. In public reasoning, we are only allowed to appeal to any reasons from any comprehensive doctrines. That would treat people unfairly, by deciding how to shape society in ways which they have no reason to accept. Rawls never quite puts it this way, but we can see public reasoning as simulating the veil of ignorance. We talk to one another unencumbered with our comprehensive doctrines, religions, and ideologies. We can only give reasons of the sort we could give behind the veil of ignorance, which are also the reasons that must be acceptable to all.

Public reason is an essential part of democracy. Talking to one another as if we are behind the veil of ignorance ensures that we treat one another as equals. Public reasoning is the activity where we

# 1.2 WHAT SHOULD PUBLIC REASONING BE LIKE?

shed our personal quirks of religion, ideology, gender, disability and meet one another as mere citizens.

Unlike the other answers we consider in this section, Rawls's answer only makes sense in a liberal democracy like ours. Imagine an autocratic or authoritarian regime where citizenship may be reduced to allegiance to the government, its ideology or submission to the military. We do not need to appeal to public reason to ensure that people treat one another as equals and co-operate. In fact, such co-operating with one another as equals would be a threat to the social order that the government strives hard to maintain.

A worry with Rawls's view is that it prioritises peace over rights. In 1848, American senators Abraham Lincoln and Stephen Douglas debated about whether government should treat slavery as a moral wrong or not. Lincoln argued that slavery was a great wrong. Douglas might have agreed, but he pointed out that many in society seemed to think that slavery was just fine. Government ought to be neutral on issues where its citizens disagreed so strongly. Rawls's view seems to imply that Douglas was right: we cannot appeal to the view that slavery is wrong in public reasoning, because this is part of a world view (comprehensive doctrine) that others in society cannot accept. But this is absurd! Of course government can act to stop slavery, and people in politics can say that slavery is wrong. The fact that some slave owners think slavery is okay doesn't affect that. Rawls would probably have responded by allowing that comprehensive doctrines can be appealed to if it would increase justice and the quality of public reasoning in the future (See Sandel 1994, Larmore 2002 for more).

## ABOVE AND BEYOND: RAWLS'S THEORY OF JUSTICE

Rawls's most influential idea from his earlier work is that being just will require at least the following principles in society:

- **First Principle:** each person in society has the same inalienable claim to a fully adequate scheme of equal basic liberties, which scheme is compatible with the same scheme of liberties for all.
- **Second Principle:** social and economic inequalities are...
  - ...attached to offices and positions open to all under conditions of fair equality of opportunity.
  - ...to the greatest benefit of the least-advantaged members of society.

For Rawls thinks that everyone behind the veil of ignorance will accept these rules. Behind the veil of ignorance, they do not know whether they are rich or poor, nor whether they are from a group which is oppressed or oppressor. So they will choose rules which protect them in case they are unlucky and turn out to be poor or oppressed.

Rawls later disassociated these ideas from his justification for public reason, because they are a comprehensive doctrine of exactly the sort that cannot be appealed to in public reasoning.

Q1: Who should be allowed to take part in public reasoning?	Reasonable people.
Q2: What topics should we do public reasoning about?	Topics that would appear before legislators or the supreme court.
Q3: What sorts of reasons should we be able to cite in public reasoning?	No reasons unavailable in the veil of ignorance, e.g. no reasons arising from comprehensive doctrines (religions, ideologies etc).

## 1.2 WHAT SHOULD PUBLIC REASONING BE LIKE?

The answer to Q3 should be unsurprising: we cannot justly appeal to reasons which arise from our broader world views because that would be unfair/unjust. Rawls's answers to the other questions evolved over his life, and may require further explanation.

The answer to Q2 is misunderstood by many of those who disagree with Rawls. On Rawls's view, we only need to do public reasoning about very few issues. Roughly, we only need to do public reasoning when we are acting as supreme court judges or legislators. That includes actual supreme court judges and legislators, but it also includes us citizens when we are voting or making judgments about the sorts of issues that come before the supreme court. More precisely, we never need to do public reasoning about non-political issues. And we don't even need to do public reasoning about political issues until it is time to make a decision about how to shape the basic structure of our society: the constitution, and the basic matters of social and economic justice. It's not unfair to anyone to bring in religious or ideological reasons into a political discussion at a university; it's only unfair if you are a judge in a law court or a citizen in the voting booth.

The answer to Q1 is so general that it's nearly useless. But Rawls has a more precise account of when people are reasonable. Reasonable persons are, when among equals, "ready to propose principles and standards as fair terms of cooperation and to abide by them willingly, given the assurance that others will likewise do so. Those norms they view as reasonable for everyone to accept and therefore as justifiable to them; and they are ready to discuss the fair terms that others propose" (Rawls 1996, 49). Second, reasonable persons accept what Rawls calls the burdens of judgment and "accept their consequences for the use of public reason in directing the legitimate exercise of political power in a constitutional regime" (Rawls 1996, 54 see the above and beyond box above for more on burdens of judgment).

### 1.2d A Habermasian view on why we should do public reasoning

<b>Slogan</b>	We need to talk to make things right.
<b>Short story</b>	Moral norms are only valid when everyone can accept them. We need to talk to change one another, and come to understanding.
<b>In full</b>	On the three views discussed above, even before we start doing public reasoning there's a fact of the matter about how society should be. For example, perhaps it's always been true that we should have free secondary education. The public reasoning discussion only shows that this is true, or only shows that it is fair to tax people to fund that education.





## 1.2 WHAT SHOULD PUBLIC REASONING BE LIKE?

On the Habermasian view, there's no fact of the matter about how society should be before the public reasoning. Instead, the public reasoning (or the views expressed during it) establish the way society should be. Compare a club coming together for the first time to choose its rules: there's no way the club should be prior to that first meeting, and only in the discussion of that first meeting are the rules of the club established. Habermasians think that moral or social rules work in much the same way. And the same applied more generally to norms. More precisely, for Habermas himself it's just a feature of moral norms that they are only correct if everyone who will be affected by them can accept those norms without being coerced. Another philosopher, Gaus, gives a similar idea: social norms only make sense in a world where everyone recognises that they have reason to obey the demands they make on one another. A society where some people have no reason to obey others' moral demands isn't a society at all.

<b>Q1: Who should be allowed to take part in public reasoning?</b>	Everyone capable of talking sensibly about what they have reason to do.
<b>Q2: What topics should we do public reasoning about?</b>	Any moral or social rule or norm.
<b>Q3: What sorts of reasons should we be able to cite in public reasoning?</b>	Anything, unless you are a politician.

Habermas is critical of Rawls's answer to Q3. He argues that religious people cannot be expected to leave religious reasons aside when discussing. For it is often a part of religious views that everything should be done for religious reasons. Demanding that they give up religious reasons in effect requires that they give up their own religious practices. In Rawls's terms, religious people do not want to become unencumbered, and may think it is wrong to do so. This criticism arises from a deeper disagreement: Rawls views religion merely as a set of beliefs which can be dropped, but Habermas views religion as a structure for seeing and understanding the world, and motivating action. Such a structure is not easily dropped. Habermas concludes that only politicians can be required to reason without appeal to religion or other ideology.

Furthermore, Habermas hopes that if citizens meet one another whilst still within the framework of their religions or ideologies, then they are able to change one another. Through public reason, ideological views can change. Habermas is optimistic that everyone will be changed sufficiently to have reason to acceptance three principles vital to liberal society: the priority of scientific knowledge over religious teachings; the acceptance of neutral state power over the authority of the main religions; and universal religious freedom.

# 1.3 WHY IS PUBLIC REASONING HARD?

## 1.3 Why is public reasoning hard?

**Bad news:** public reasoning is hard. Our public reasoning almost never done perfectly, and it is very often done badly. It's not just that it doesn't conform to the ideas discussed in 1.2. It almost always makes much more simple mistakes. One reason is that human minds have inbuilt biases and are naturally prone to making simple mistakes.

**Worse news:** high quality public reasoning won't come naturally to you either, even if you feel that you are an above average reasoner (most of us do!).

**Good news:** we know some of the biases and mistakes our minds are that are likely to make us bad public reasoners. And you can easily spot the mistakes and fix them, once you know what you are looking for.

The trick is to **think slow**. Nobel prize winning psychologist Daniel Kahneman claims that we have two different systems for thinking.

### The 'thinking fast' system

- Allows us to make quick judgments.
- We use simple rules, often without knowing that we are.

### The 'thinking slow' system

- Allows us to make considered judgments.
- We consider a wide variety of reasons and deliberate until we get an answer we are confident is correct.

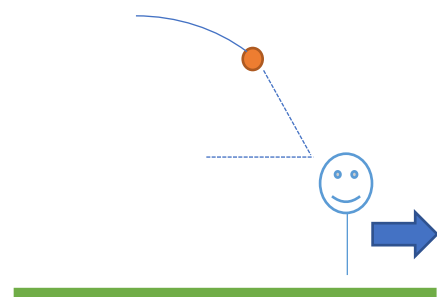
How reliable are 'fast thinking' heuristics? Let's look at some examples:

The fielder's heuristic is a good example.

- You can use heuristics without be conscious of them. You probably use this heuristic without knowing it.
- This heuristic is reliable when used in the classic case. If you follow it, you will always end up in exactly the right place.
- The heuristic is also reliable when used in unusual cases. Airline pilots are taught it: a plan which keeps on the same part of your windscreen is going to collide with you.

### *The fielder's heuristic:*

*If you want to be in the right position to catch a high ball, keep the angle of the ball to the horizon the same.*



## 1.3 WHY IS PUBLIC REASONING HARD?

But ‘thinking fast’ heuristics aren’t always reliable.

*The deer’s heuristic:  
if you see any rustle in the bushes, assume it is a tiger and run away.*

The deer’s heuristic is unreliable: most of the rustles in the bushes are not tigers.

The heuristic is still useful for the deer when it’s trying to survive, because it’s not so bad to think there’s a tiger in the bushes when there isn’t (this is called a false positive), but it’s really bad to think that there’s no tiger in the bushes when there is (this is called a false negative). In other words, deer who underpredict tigers die quickly. Deer who overpredict tigers do just fine.

But deer would make really bad contestants on the ‘spot the tiger’ gameshow. The heuristic doesn’t lead to accurate beliefs.

And even where ‘thinking fast’ heuristics are reliable when used in the right way, they can be used in the wrong way too.

This works well for us at parties. But it works less well for us at supermarkets, because the products with the best profit margin tend to get put at eye level, not the products we need most.

Using ‘thinking fast’ heuristics when we should be using ‘thinking slow’ considered reasoning leads to biases and basic mistakes, ones which are much more costly

*The socialite’s heuristic  
When engaged in social activities, pay most attention to what is going on eye level.*

In the rest of this section, we’ll look at three of the most well understood such biases, and talk about how to avoid them. This is just the start of learning to think slow though; you can see most of the rest of the book as helping you to think slow.

### 1.3a Biased assimilation

An experiment, from Lord, Ross and Leper (1979):

People were given either an article which supported the idea that the death penalty acts as a deterrence, or an article which supported the idea that the death penalty did not act as a deterrence.

Those who were initially in favour of the death penalty before the experiment became more strongly in favour of the death penalty if they read the article which showed that the death penalty doesn’t act as a deterrent. This is surprising: they saw evidence against their view, and became more convinced that their view was right.

Worse: those initially opposed to the death penalty became more strongly opposed when they read the article showing that the death penalty does act as a deterrent.



# 1.3 WHY IS PUBLIC REASONING HARD?

This is part of a wider set of biases sometimes called 'confirmation bias'. We have a strong tendency to interpret evidence to suit what we believe. For example, we tend to discount new evidence against our view, or count too heavily evidence in favour of our view. Absurdly, we discount evidence against our view so much that it often ends up counting in favour of our view. That's what is going on in the experiment above.

Confirmation bias can arise because we fail to ask the right questions. For example, we often look only for evidence in favour of a hypothesis, not evidence against it. Asking the right questions is harder than you might think.

106

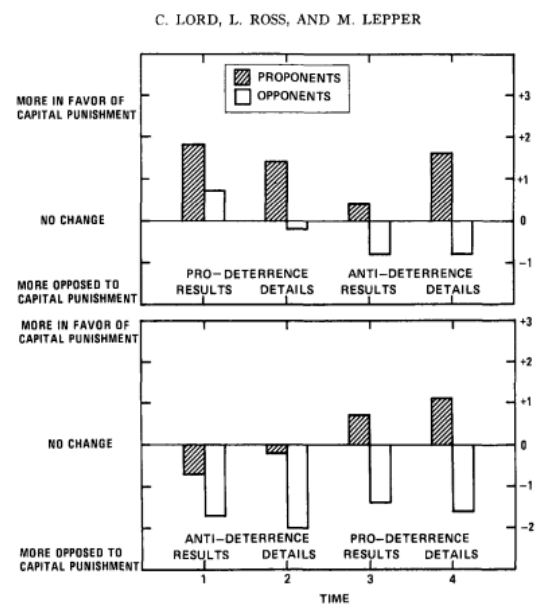


Figure 1. Top panel: Attitude changes on capital punishment relative to start of experiment as reported across time by subjects who received prodeterrence study first. Bottom panel: Attitude changes on capital punishment relative to start of experiment as reported across time by subjects who received antideterrence study first.

Each card contains a letter on one side (vowel or consonant) and a number on the other (odd or even). You are testing your theory that 'if there is a vowel on one side, there is an even on the other'. Which of the following cards should you turn over:

A

K

4

7

Most people answer incorrectly, choosing to look for seemingly positive instances of their theory which give no reason to suppose that their theory is true (e.g. the card with '4' on it). The correct answer: cards with A and 7 on them. Other cards are irrelevant. Though not often seen this way, this experiment is part of the well-known phenomena of humans preferring positive evidence and overlooking the importance of negative evidence.

Confirmation bias causes serious problems for public reasoning.

## 1.3 WHY IS PUBLIC REASONING HARD?

Solutions:

- **Consider the opposite.** Imagine the evidence had gone in the other direction. Ask yourself how that would have changed your beliefs. Consider a range of possible alternative explanations of the evidence.
- **Try to prove yourself wrong.** Dangerous strategy, but the most effective if done well. It's easy to give a half-hearted objection to your views, and then end up even more persuaded that your initial view is correct. If you aren't regularly persuading yourself that your initial view is wrong, you are almost certainly not good enough at proving yourself wrong. Practice!
- Don't bother trying to be objective or unbiased. Experiments show that this is ineffective.

### 1.3b Probabilistic reasoning biases

Manju studied English literature in college. She attended the feminist society in the evenings. Rank these from the most probable to the least probable:

- A) After college, Manju became a bank teller.
- B) After college, Manju became a feminist activist.
- C) After college, Manju became a feminist activist bank teller.

Compare: what's more probable: A) you flip one heads and then another heads. B) you flip one heads. Anyone who thought that A is more probable than B hasn't understood probability.

Bad news: most people don't understand probability. Instinctively, they don't put C at the bottom; instead, they claim that C is more likely than A, or more likely than B. This is impossible because to be a feminist activist bank teller, you must also be a bank teller. So it can't be more likely that you are both a feminist and a bank teller than it is that you are a bank teller. In other words, this makes the same mistake as putting 'both flips heads' as more probable than 'first flip heads'.

Even if you managed to spot the fact that C must go at the bottom, there are plenty of other probabilistic questions that most humans get wrong. This is just the most widely studied quirk; all psychologists agree that almost all humans are prone to giving badly wrong answers to questions about probability. Here's another, taken from a CIA manual for intelligence analysts:

## 1.3 WHY IS PUBLIC REASONING HARD?

During the Vietnam War, a fighter plane made a non-fatal strafing attack on a US aerial reconnaissance mission at twilight. Both Cambodian and Vietnamese jets operate in the area. You know the following facts:

(a) Specific case information: The US pilot identified the fighter as Cambodian. The pilot's aircraft recognition capabilities were tested under appropriate visibility and flight conditions. When presented with a sample of fighters (half with Vietnamese markings and half with Cambodian) the pilot made correct identifications 80 percent of the time and erred 20 percent of the time.

(b) Base rate data: 85 percent of the jet fighters in that area are Vietnamese; 15 percent are Cambodian.

Question: What is the probability that the fighter was Cambodian rather than Vietnamese?

Find the correct answer in the answers section at the end of this coursebook. For several other examples, see the rest of the CIA manual: Heuer, R. J. (1999). *Psychology of intelligence analysis*. Part III.

Our misguided intuitions about probability undermine good public reasoning, because public reasoning often appeal to statistics and probability.

The solution:

- If you already know the difference between 'prior probability', 'likelihood', 'posterior probability' etc. and work out what each bit of evidence is about, then you are probably okay. If not, then don't trust your intuitions!
- Think slow. This requires understanding probability theory, which is introduced briefly in unit 2.

### 1.3c Implicit bias

An experiment:

Job applications were sent to recruiters at universities across America, for the role of lab manager. Some of them had a man's name at the top. Some of them had a woman's name.

The applications with a man's name at the top were significantly more likely to be hired, and offered a higher salary.

But the applications were otherwise identical

This remained true even for ardent feminist recruiters, and even for female recruiters.



## 1.3 WHY IS PUBLIC REASONING HARD?

This is one example of a widespread phenomenon: we have unconscious biases. A large number of experiments confirm this. For example, Swedish names are 3 times more likely to get job interviews than Arabic names in America. American police are more likely to shoot black targets than white targets in a simulation where targets of all races are equally likely to pose a threat. Black people are less likely to be recommended for further treatment, and more likely to be recommended for stronger treatment by American physicians. These results hold even for black policemen and black physicians. (Most of the examples come from America and Europe, because that's where the funding for these experiments is readily available. The available indications are that the same applies in India.)

A closely related phenomenon is 'stereotype threat'. If I am part of a group that performs less well at this task, then reminding me of my group identity makes me perform less well. For example, African American students perform less well on maths tests than white American students if they are reminded either of their race, or of the fact that it is a maths test just before they begin.

One cause of implicit bias and stereotype threat is that humans think using paradigms. We have a clear picture in their head of a competent lab manager, and it is a male. When presented with two people and asked to judge which will be a competent lab manager, we choose the one who most resembles our picture of a competent businessman, even if we firmly believe that this resemblance is not relevant to their managing the lab.

Implicit bias undermines public reasoning in several ways. Most obviously, it will affect who we rely on as an authority or expert. It will also affect who we allow to join the public reasoning debate, and who we listen most closely too. For example, during the first year APU students from richer backgrounds are listened to more in class, despite the fact that there is no reason to think that their ideas are better. Implicit bias also undermines our ability to get true beliefs, because a variety of experiments show that when we have implicit bias we perform less well on simple cognitive tasks (see Gendler, T. S. (2011). On the epistemic costs of implicit bias. *Philosophical Studies*, 156(1), 33.)

Solutions:

- **Carbohydrates** have been shown to reduce implicit bias in the short term. So bring biscuits to your public reasoning discussion and share them around.
- Carry an **image of someone from the group you may be biased against**, for whom the bias does not apply. Looking at this image seems to disrupt our association-based thinking. It has been shown to reduce implicit bias in the short term.
- **Close interaction** with the group you are biased against has been widely studied, and is somewhat effective in reducing both implicit and explicit bias.
- Don't bother reminding yourself that you may have implicit biases. This often increases the chance that you have implicit bias!

## 1.3 WHY IS PUBLIC REASONING HARD?

### 1.3d Other cognitive biases

These are just a few of the very long list of cognitive biases. We could easily write a whole other book about them. Others include:

- The anchoring effect. We tend to stick too closely to our starting estimates, so that your first guess heavily influences your final opinion.
- The Dunning–Kruger bias: in almost every respect, most people think they are above average. For example, most people think that they are above average at mathematics. This is impossible.

There are many more. See the bibliography for details.

## 1.4 A history of Indian public reasoning

Our public reasoning in India is the result of both Indian and Western traditions. When you engage in public reasoning in India, you may be criticised for doing something un-Indian. Thus, those on the right wing might accuse you of being amongst the “gullible, culturally illiterate, English reading Indians”, whilst those on the left wing might accuse you of being one of the out of touch “western-educated elite” with a “colonial hangover” or even of being “brainwashed”. Both may even request a return to the true Indian way of running society. So, you’ll need to know how each tradition shaped our public reasoning to see how to evaluate these accusations and respond to them properly.

### 1.4a The ancient Indian tradition of debate



Public reasoning is central to democracy. Part of the global roots of democracy can be traced to the tradition of public discussion that received much encouragement in both India and China from the dialogic commitment of Buddhist organisations.

Amartya Sen. *The argumentative Indian*. P.182.

The idea of India militates itself against the intense consciousness of the separateness of one’s own people from others.

Rabindranath Tagore.



# 1.4 A HISTORY OF INDIAN PUBLIC REASONING

## Debates in the republics

One of Indian public reasoning's predecessors was the discussions found in ancient Indian communities, particularly in the republics. These semi-democratic societies were common in ancient India. At some periods, most Indians seem to have lived in them. They lasted a millennia or more, disappearing in the middle ages. A chief or king might be elected, and some decisions might be made an assembly of elders. Important decisions were made after discussion of the gathering of all the men. In republics, these often each held the title 'raja' (typically translated 'king').

Different republics seem to have run their debates quite differently, but we can piece together some idea of how they worked. They would meet to discuss. First, the proposal to be debated would be read out once, and repeated up to three times if required. Then, those who agreed would remain silent whilst those who disagreed would explain their thoughts. Discussion was free and debate was extensive. In some, there was such a focus on equality that they became known as places where the upper and lower does not exist. The aim of the discussion was to get everyone to agree. If that failed, voting pins were sometimes used. Republics who debated in this way were considered militarily unbeatable, because of the social ties. This tradition of discussion was much broader than that, being taken up in trade guilds, villages, and monasteries on very roughly similar lines.

We have some idea of what was valued in these debates. Going back as far as the oldest documents, we have the indication that people should show that their views were consistent. Going back equally far was the idea that people should show that everyone should agree that their views were not only consistent but also correct.

## Ashoka the Great (2<sup>nd</sup> century BCE)

Emperor Ashoka ruled from Afghanistan to Karnataka and much more besides. In his public decrees, he claimed that it was an essential part of everyone's world views to disagree with others reasonably, and be mild in criticism.

During his rule, a great council of Buddhists gathered at the capital in Patna. Amongst other issues, they formalised some of the everyday traditions of debate. These were written down in the Kathavatthu (Points of Controversy). This text argued that public debates should not be aimed at beating the opponent. The debate took on a set order. Roughly, after each person stated their own positions, these positions would be argued against. The attacks of these arguments

*The Beloved of the Gods, the king Piyadassi, [Ashoka] honours all sects and both ascetics and laymen, with gifts and various forms of recognition. But the Beloved of the Gods do not consider gifts or honour to be as important as the advancement of the essential doctrine of all sects. This progress of the essential doctrine takes many forms, but its basis is the control of one's speech, so as not to extoll one's own sect or disparage another's on unsuitable occasions, or at least to do so only mildly on certain occasions. On each occasion one should honour another man's sect, for by doing so one increases the influence of one's own sect and benefits that of the other man; while by doing otherwise one diminishes the influence of one's own sect and harms the other man's. Again, whosoever honours his own sect or disparages that of another man, wholly out of devotion to his own, with a view to showing it in a favourable light, harms his own sect even more seriously. Therefore, concord is to be commanded, so that men may hear one another's principles and obey them. This is the desire of the Beloved of the Gods, that all sects should be well-informed, and should teach that which is good, and that everywhere their adherents should be told, 'The Beloved of the Gods does not consider gifts or honour to be as important as the progress of the essential doctrine of all sects.' Many are concerned with this matter - the officers of Dhamma, the women's officers, the managers of the state farms, and other classes of officers. The result of this is the increased influence of one's own sect and glory to Dhamma.*

Ashoka's 12<sup>th</sup> Rock Edict



# 1.4 A HISTORY OF INDIAN PUBLIC REASONING

would then be discussed. Curiously, no-one had to offer arguments in favour of their position; they only needed to undermine criticisms of it. The underlying idea is that the point of such debate is to uncover the presuppositions of each person's view. If someone has a presupposition you cannot agree with, then capitulate. There's nothing more you can say to win them over, and you should walk away.

## Milindapanha and the Nyayasutra (1<sup>st</sup>-2<sup>nd</sup> century CE)

Menander was an ancient king in North-West India. The Milindapanha (questions of Menander) are a fictionalised record of a dialogue between him and a Buddhist monk. It is sometimes suggested that this dialogue must have been influenced by Western reasoning traditions. However, there is no evidence of this. Menander was an Indo-Greek, but was part of a Greek culture that had been in India for more than three hundred years. And, though the debate is mostly about philosophical issues, the text lines up almost exactly with what we know about ancient Indian forms of debate. Debates of kings are disparaged, because people don't feel free to speak to kings. Furthermore, debates where one is trying to trick the other by asking a series of questions are disparaged. The dialogue shows how to deal with false disjunctions (see unit 3) by accepting both or neither of the disjunctions.

When scholars talk a matter over one with another, then is there a winding up [criticism], an unravelling [explanation], one or other is convicted of error, and he then acknowledges his mistake; distinctions are drawn, and contra-distinctions; and yet thereby they are not angered. Thus do scholars, my king, discuss.

The monk Nagarjuna explains to Menander how to reason. From the Milindapanha

Meanwhile, the Nyayasutra took this tradition of debate and formalised it even more than had been done in the time of Ashoka. It emerged out of discussions between followers of the Nyaya school of Hinduism and Buddhists who attended their debates. It went on to heavily influence both religious traditions. It formalised the different kinds of good and bad debate (see 1.2). It also formalised the logic that should be used for argument (see unit 3).

The Nyayasutra shows the role of debate in ancient Indian society. The primary point of debate is to work out the truth. In the ancient Indian tradition, finding the truth was considered inseparable from debate. For, says the Nyayasutra, only in debate are the two sides really developed and made clear. Only in debate are we forced to confront our doubts, and recognise our mistakes. Nyaya philosophy makes debating a moral and religious duty: it makes us less selfish, and can even help release us from the cycle of birth and death. A secondary point of debate was to reach consensus in society. An ancient commentary on the Nyayasutra (by Vatsyayana) notes that only certain forms of evidence could be appealed to in arguments: the settled opinions and empirical examples which all can appeal to (see 1.2).

We know that this idea about the importance of debate and how to run it were widespread in ancient India. Although both the Nyayasutra and Milindapanha are concerned with abstract philosophical issues, their methods of debate can be applied to everyday issues and issues of public reasoning. Indeed, they were a development of the reasoning tradition that emerged in the republics, discussed above. They even used the same words, just changing the meaning slightly to fit a more abstract level of debate: the word for members of the assembly came to mean reasons

## 1.4 A HISTORY OF INDIAN PUBLIC REASONING

appealed to in an argument; the word for the resolution to be discussed by the republic came to mean the hypothesis being assessed, and so forth. And such debates were not limited to religious matters. Around this time, a new chapter was added to the medical text the Caraka Samhita. It explained how physicians could debate with one another, and its ideas reflect the Nyayasutra and Milindapaha very closely indeed. So many ancient Indians could be expected to take part in this tradition, though as usual we have almost no information about debates outside the elite in society.

The tradition continued to develop over the centuries. The Nyayasutra, though following a Hindu philosophy, was expanded upon by Buddhist authors such as Dinnaga. He formalised the reasoning methods in the Nyayasutra further, taking it from an informal case-based approach to reasoning to a formal system of arguing from analogy (see unit 4). Debate practices developed directly and explicitly from the Nyayasutra were still widely used until the modern period, and was flourishing in the time of emperor Akbar (16<sup>th</sup> century). Great public debates were held between the emperor's ministers and followers of the Nyayasutra, with the later coming out on top. Jainism developed this the tradition in other directions, producing logics which are complex and still studied by logicians today. The central ideas of how to debate with those who disagree with you remained, and were developed in works as late as Adhyatmopanisatprakarana, written by the Jain monk Yashovijaya, 17th century who wrote about how to be grounded in all views, and dispassionate. By the time India became independent, many villages had Nyaya panchayats, running on roughly the same lines as they had since Mughal times.

### 1.4b The Western tradition of public reasoning

The modern idea of public reasoning comes from the West. Even the idea of a 'public sphere' is an import from the West. Western thinkers often trace their tradition of public reasoning back to the ancient Greeks. However, Jurgen Habermas argued that in the ancient and medieval times there wasn't a strict division between the public and private as the boundaries between the two were blurred. It is only in modern times that the public and private sphere became distinctly separate. By the end of the eighteenth century, the distinction between the two was clear as the Church, feudal powers, prince, nobility, etc. disintegrated and a new bureaucracy, military, parliament and judiciary arose to replace them.

At the same time, the idea of 'public person' was changing. In the times of nobility, it was the cultured and bourgeois man who was considered a public person as he had a polished taste and refined sensibilities. In general, a public person was the someone from an affluent class with certain mannerisms and taste. With the advent of modern state, the distinction between public and private was re-imagined. People were supposed to come together and agree to form a government by signing an (imaginary) social contract. In this way of looking at society, people emerged from their private spheres of homes and families to come together in the public sphere to ensure that the government is working properly. No longer were people supposed to serve the state; rather the state was supposed to serve the people. So the public sphere was the place where public people went to keep the state accountable.

Habermas claims that it was the public use of reason in the eighteenth and nineteenth century Europe that was employed effectively to keep a check on the powers of the State, and whether they are correctly used in service of people or to dominate them. This 'bourgeois public sphere' was ideally an inclusive space but in real terms was controlled by the upper and middle classes who could own

## 1.4 A HISTORY OF INDIAN PUBLIC REASONING

property and were educated. The 'public person' during this time used to engage in rational and critical debate on public issues while also discussing art and literature in the salons and coffee-houses. The idea of 'civil society' also emerged during this phase, which essentially was composed of public persons who can articulate their concerns, engage in rational debate and critique the problems of the state, especially its abuse of power.

The emergence of a distinct public sphere with the central goal of public use of reason got institutionalized in the nineteenth century, beginning with Britain. The civil society got an official voice in engaging with how the State governed the citizens. The debates in civil society which were informed by politics, art, literature, history and philosophy had a bearing on the policies of the State. However, there were also limitations on whose voice informed the debates, as the larger masses didn't have access to education and property to be able to participate in forming the public opinion. Thus, public education became a central priority of the State in the nineteenth century to educate the masses into new modes of thinking and being. For Habermas, this cusp of nineteenth century presents the ideal in the use of public reason by civil society for an accountable and effective State.

However, this ideal remained short-lived as the relation between State and society began to change in late nineteenth century. The private and public sphere mutually infiltrated each other, where public goods and services began to get used for private benefits while private sphere got intervened by state policies. Habermas terms this as the refeudalization of the society, as the same economic shifts which earlier broke the pre-modern hierarchies, now began to create new hierarchies based on property and wealth. Structural transformation in the field of economics, culture and politics changed the public sphere from being a space for reason and critique and instead became a platform for advertising and consumerism. Mass Media played a central role in this transformation and continues to do so, where instead of engaging with diverse opinions and critiques, it gets used to manufacture consensus by the people in control of state machinery and private corporations.

This transformation seems to be almost complete now as we saw in 2018 how democracies across the world, including the world's oldest and biggest democracy also stifling dissent and creating forced consensus on controversial issues. Public use of reason has been replaced by public propaganda, and this phenomenon is being termed as the post-truth era. In this post-truth phase, where the media has also mutated into a much subtler form with an all-pervading reach through technology, the public sphere is no more a space for debate and dialogue but more about rigid positions and name-calling. In this breakdown of dialogue, the State's power to dominate the masses has again become unchecked as now the public is participating in its own domination. However, as we have seen historically, power and domination never gets completely permanently fixed and there will be some shift which would challenge existing hierarchies to usher in something new. In the meanwhile, Habermas argues that we need to keep the public sphere alive through public reasoning as that would allow us to work on deepening democracy by debating on shared goals of the society and keeping a check on the domination of State.

### 1.4c ...so what parts of our public reasoning are Indian/Western?

What parts of our public reasoning today come from the ancient Indian tradition, and what parts are Western?



# 1.4 A HISTORY OF INDIAN PUBLIC REASONING

The Western tradition introduced the current notion of public sphere and public persons. These were colonial impositions; neither ancient nor medieval Indians drew the same distinction between public and private as we do today. It is also likely that the idea of the public sphere as a space to keep the government accountable has been introduced by the West. More superficially, much of the debate appeals to Western enlightenment thinkers like Kant and Rousseau. And where logic is used, it is almost always logic that was developed in the West. Since this book is preparing you to take part in modern Indian public reasoning, most of the logic introduced in units 3 and 4 is Western, and most of the figures are from the West. However, we introduce Indian logic and figures far more often than is typical in public reasoning in India today.

It's harder to pin down what the ancient Indian tradition contributed to our modern public reasoning. Indeed, there are some ways in which ancient Indian tradition was deliberately overlooked when the modern state of India was being set up. At India's independence, many tried to draw on ancient Indian thought about public reasoning and other matters, but were unable to do so. As Amartya Sen writes, the idea that "...the organization of "the ancient polity of India" could serve as the model for India's constitution in the twentieth century, though that idea was actually even less plausible than would have been any attempt to construct the constitution of the United States in 1776 in line with Athenian practices of the fifth century B.C.E." Dr. Ambedkar thought that so little good of the ancient Indian tradition remained that it should be ignored almost entirely, especially as it was found in the village Nyaya panchayats:

Such is the part the village communities have played in the history of their country. Knowing this, what pride can one feel in them? That they have survived through all vicissitudes may be a fact. But mere survival has no value. The question is on what plane they have survived. Surely on a low, selfish level. I hold that these village republics have been the ruination of India. I am therefore surprised that those who condemn provincialism and communalism should come forward as champions of the village. What is the village but a sink of localism, a den of ignorance, narrow-mindedness and communalism? I am glad that the Draft Constitution has discarded the village and adopted the individual as its unit.

Although several disagreed, Ambedkar's view won out. Gram panchayats were developed instead of Nyaya panchayats. These gram panchayats were designed to follow more western patterns of debate and justice, with professional judges and panels. However, since 2004 the central government has started reintroducing Nyaya panchayats with formal powers. A formal Nyaya Panchayat bill was proposed in 2009, which has been argued to follow the principles of ancient Indian debate closely. Though the bill did not become law, it influenced legislation in many states across India.

However, the ancient Indian tradition has doubtless affected modern public reasoning in less easily definable ways. In particular, the norms of public reasoning in India are different to those in the West, such as in the form of secularism and approach to truth. This continues to shape how public reasoning is done today.